

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52343 of 2017

Arising Out of PS.Case No. -127 Year- 2017 Thana -GOPALGANJ TOWN District- GOPALGANJ

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Akash Patel @ Akash Kumar Patel @ Chhotu, Son of Late Rama Shankar Prasad Resident of Adhiwakta Nagar, P.S.-Gopalganj, District-Gopalganj, Bihar

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Indrajeet Bhushan, Advocate.

For the Opposite Party/s : Mr. Ram Bachan Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 12-01-2018 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Gopalganj (Town)**

P.S. Case No. 127 of 2017, G.R. No. 1150 of 2017 instituted for the offence under Sections 307, 120(B) of the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioner has submitted that he is not named in the written report. The name of this petitioner has been disclosed by co-accused Vineet Singh who was arrested in connection with Gopalganj (Town) P.S. Case No. 194 of 2017 and also on the basis of confessional statement of co-accused Sonu Srivastava, Lal Babu Rai and others recorded in the aforesaid case. It has further been submitted that another co-accused with similar allegation has been granted anticipatory bail by this Court vide order dated 08.11.2017 passed in Cr. Misc. 47490 of 2017.



Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with **Gopalganj (Town) P.S. Case No. 127 of 2017, G.R. No. 1150 of 2017**, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned **Chief Judicial Magistrate, Gopalganj**, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be liable to cancel his bail bond and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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